

Remarks

The Examiner required Applicant, pursuant to 35 U.S.C. § 121 to elect one of several species for prosecution on the merits. The Examiner identified claims 1-13, 18, 19, 22 and 23 as generic. Applicant affirms the telephonic election of species IV (claims 17, 20 and 25). Claims 14-16, 21 and 24 were withdrawn.

The Examiner objected to claim 2, suggesting that the second "the" in line 2 should be deleted. It is submitted that this article is correctly used, because the antecedent element is defined in claim 1 as "at least one shaped charge." Accordingly, it is proper in a subsequent reference to this element to use the definite article "the."

The Examiner rejected claims 1-11, 13, 18 and 19 as unpatentable under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,391,337 issued to Ford et al. Reconsideration is requested.

Applicant's claim 1 has been amended herein to include the subject matter of claim 12, which the Examiner found to be allowable. Consequently, amended claim 1 now is allowable.

Applicant's claim 18 has been amended herein to include the subject matter of claim 22, which the Examiner found to be allowable. Consequently, amended claim 18 now is allowable.

The Examiner found that claims 12, 17, 20, 22, 23 and 25 would be allowable if rewritten in independent form. As indicated above, the subject matter of claim 12 has been added to claim 1, and the subject matter of claim 22 has been added to claim 18. Claims 12, 13, 22, and 23 have been cancelled.

Based on the foregoing, it is submitted that claims 1-11, 18-20, 23, and 25 are patentable over the references of record.

Applicant has added new claims 26-36. Independent claim 26 is exemplified by the embodiment shown in Figure 1, which includes at least one shaped charge 30 inside a container 24. Oxygen-rich material 40 surrounds the shaped charges 30. Claim 26 also recites the pair of end charges 44 and 46 of low order explosive material, which create high pressure inside the container on ignition to force the oxygen-rich material out of the container and into the formation. Original claims 2, 3, 6, and 9, included the "end charges," but have been amended herein to delete the reference to the end charges.

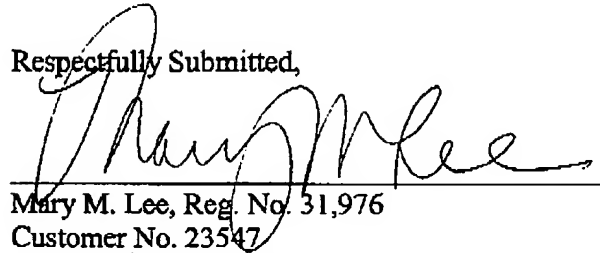
Ford et al. does not teach or suggest the use of end charges, as recited in new claim 26. Accordingly, Applicant requests allowance of new claims 26-32.

Withdrawn claims 14-16 depend from amended claim 1, and withdrawn claims 21 and 24 depend from amended claim 18. Since claims 1 and 18, as amended, are drawn to allowable subject matter, Applicant now requests consideration of these withdrawn claims.

Allowance of claims 1-11, 14-21, and 24-36 courteously is solicited. If the Examiner has any questions or comments concerning the instant application or this Amendment, the Examiner is invited to contact the undersigned.

This is intended to be a complete response to the Office action of September 22,
2005.

Respectfully Submitted,



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